

Application No. 10/663,045
Response dated February 28, 2006
Reply to Office Action of December 8, 2005

REMARKS:

Status Of Claims

Claims 1-21 were previously pending. The Examiner apparently withdrew claims 8-21. Claims 1 and 2 have been amended. Claims 22-30 have been added. Thus, claims 1-7 and 22-30 are currently pending in the application with claims 1 and 24 being independent.

Office Action

In the Office Action, the Examiner rejected claims 1-6 under 35 U.S.C § 130(a) as being unpatentable over Kempers et al., U.S. Patent No. 5,415,554, in view of Anderson et al., U.S. Patent No. 6,827,384, or Gort et al., U.S. Patent Application Publication No. 2003/0127878. The Examiner also rejected claim 7 under 35 U.S.C § 130(a) as being unpatentable over Kempers in view of Anderson or Gort, in further view of Ockerse, U.S. Patent No. 6,928,366. Applicant respectfully submits that the currently pending claims distinguish the present invention from Kempers, Anderson, Gort, Ockerse, and the other prior art references of record, taken alone or in combination with each other.

Specifically, claim 1 now recites "a portable navigational device" and "a mounting assembly for mounting on a support pillar of the vehicle and sized and configured to removably receive the navigational device, wherein the navigation device remains visible when received within the mounting assembly".

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In contrast, no combination of Kempers, Anderson, and/or Gort discloses, suggests, or makes obvious "a portable navigational device" and "a mounting assembly for mounting on a support pillar of the vehicle and sized and configured to removably receive the navigational device, wherein the navigation device remains visible when received within the mounting assembly", as claimed in claim 1. In fact, each reference explicitly teaches away from such a combination. For example, Kempers teaches a compass assembly that is inaccessible without first completely disassembling its mounting assembly, and therefore explicitly teaches away from the compass being removably received therein. Furthermore, Anderson, teaches a storage bin made to fully enclose articles, and therefore explicitly teaches away from the articles remaining visible therein. Finally, Gort simply fails to speak to these limitations at all. As a result, no combination of Kempers, Anderson, and/or Gort discloses, suggests, or makes obvious "and "a mounting assembly for mounting on a support pillar of the vehicle and sized and configured to removably receive the navigational device, wherein the navigation device remains visible when received within the mounting assembly", as claimed in claim 1.

Since the prior art references explicitly teach away from the claimed invention, and proposed combination, there simply can be no proper motivation to combine them. Furthermore, at least Kempers and Anderson are non-analogous art. Specifically, Kempers and Anderson do not share a single International Class, U.S. Class, or even Field of Search. Therefore, even a skilled Examiner would not look to Anderson to examine Kemper, or visa versa. Thus, it cannot be said that an inventor could reasonably be

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expected to look to Anderson to solve a problem with Kemper, or visa versa, and therefore at least Kempers and Anderson are non-analogous art. As a result, no proper combination of Kempers, Anderson, and/or Gort discloses, suggests, or makes obvious "a portable navigational device" and "a mounting assembly for mounting on a support pillar of the vehicle and sized and configured to removably receive the navigational device, wherein the navigation device remains visible when received within the mounting assembly", as claimed in claim 1.

In the previous Office Action the Examiner imposed a restriction requirement. In support of this requirement, the Examiner asserted "the process as claimed can be practiced by another materially different apparatus such as a portable navigational device being installed in a carrying case, which can be removable inserted in a dashboard of a vehicle". However, as previously discussed, all claims have limitations directed to a support pillar of a vehicle, and therefore the Examiner's assertions appear to be unsupported by the claim language. Specifically, all claims require the navigation device to be removably received in a support pillar. Therefore, the Examiner's assertion, to the extent that being removably "inserted in a dashboard of a vehicle" is inconsistent with being removably received in a support pillar, is simply unsupported by the claim language.

The Examiner also asserts "the apparatus as claimed does not required installed the navigational device in the support pillar of a vehicle to work". However, as discussed above, all claims have limitations directed to a support pillar of a vehicle. Specifically, all claims require the navigation device to be removably received in a support pillar.

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Therefore, the Examiner's assertion is simply unsupported by the claim language. As a result, the Examiner has failed to show how the Groups are distinct, and therefore this requirement is again respectfully traversed and reinstatement of claims 8-21 is requested following reversal of this requirement.

Claims 22-30 have been added to further distinguish the present invention over the prior art. The remaining claims all depend directly or indirectly on claim 1, and are therefore also allowable.

Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 501-791. In view of the foregoing, a Notice of Allowance appears to be in order and such is courteously solicited.

Respectfully submitted,

By:



David L. Terrell, Reg. No. 50,576
Garmin International, Inc.
1200 East 151st Street
Olathe, KS 66062
(913) 397-8200
(913) 397-9079 (Fax)